

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

NO. 5:11-cr-300-1BO

UNITED STATES OF AMERICA )  
v. )  
JUAN CARLOS SANCHEZ-MARTELL )  
a/k/a "Chiquis" )  
ORDER )

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, has moved the Court to dismiss the Count Two of the Indictment. The government represents it does not have sufficient evidence to support the additional element of proof imposed by Flores-Figueroa v. United States, 129 S. Ct. 1886 (2009), relative to Count Two.

After due consideration and for good cause shown, the Court hereby GRANTS the government's Motion and ORDERS Count Two of the Indictment DISMISSED.

SO ORDERED, this the 28 day of November, 2011.

Terrence W. Boyle  
HONORABLE TERRENCE W. BOYLE  
UNITED STATES DISTRICT JUDGE